

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Eastern District of Texas

FILED

SEP 22 2016

Clerk, U.S. District Court
Texas Eastern

BLUE SPIKE, LLC,

Plaintiff(s)

v.

Media Science Incorporated

Defendant(s)

Civil Action No. 2:16-CV-00701-RWS

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Media Science Incorporated
22150 Oxnard St., Suite 990
Woodland Hills, CA 91367

c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Garteiser Honea - IP Trial Attorneys
Attn: Randall T. Garteiser, Esq.
119 W Ferguson St.
Tyler, TX 75702-5715

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 8/24/16



CLERK OF COURT

David A. O'Poole

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 01/09) Summons in a Civil Action (Page 2)

Civil Action No. 2:16-CV-00701-RWS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This summons for *(name of individual and title, if any)* MEDIA SCIENCE INCORPORATED
was received by me on *(date)* 8/24/16

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____, or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* LYNANNE GARES (authorized person), who is
designated by law to accept service of process on behalf of *(name of organization)* MEDIA SCIENCE INCORPORATED

C/O CORPORATION SERVICE CO. 2711 CENTERVILLE RD. WILMINGTON, DE 19808 (AS REGISTERED AGENT) on *(date)* 8/24/16 AT 4:15 PM

☐ I returned the summons unexecuted because _____, or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: August 24, 2016



Server's signature

KEVIN S. DUNN PROCESS SERVER
Printed name and title

BRANDYWINE PROCESS SERVERS, LTD.
PO BOX 1360
WILMINGTON, DE 19899
302-475-2600

Server's address

Additional information regarding attempted service, etc:

SERVED: SUMMONS & COMPLAINT FOR PATENT INFRINGEMENT

SWORN TO ON 8/24/16

